

# Notice of Allowability

Application No.

10/659,516

Examiner

Gay Ann Spahn

Applicant(s)

WAY, ROBERT L.

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3673

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communications filed on 2/23/06 & 1/26/06.
2. ☒ The allowed claim(s) is/are 1, 3-9, 17, 18, and 22-27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 20060309.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Arthur G. Yeager on March 17, 2006.

The application has been amended as follows:

#### **IN THE DRAWING FIGURES:**

The following changes to the drawings have been approved by the examiner and agreed upon by applicant:

- (1) Fig. 2 of the Replacement Sheets filed 26 January 2006, the lead line leading from reference numeral "21" should be extended to the stationary cylinder end;
- (2) Fig. 3 of the Replacement Sheets filed 26 January 2006, delete reference numeral "81" and the lead line therefrom;
- (3) Fig. 11 of the Replacement Sheets filed 26 January 2006, change " 42' " to -- 42"--; and

(4) Fig. 15 of the Replacement Sheets filed 26 January 2006, change "TO 15" to --TO CHU 15-- and insert a lead line leading to the cables or wires extending out of the bottom of the fluid reservoir (19).

In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

**IN THE SPECIFICATION:**

The following changes to the specification have been approved by the examiner and agreed upon by applicant:

(1) on page 4 of the After Final Amendment filed 26 January 2006, the 1st line of the paragraph beginning "FIG. 4 is a perspective view showing . . . ", after "an", reinsert --alternate embodiment of--;

(2) on page 5 of the After Final Amendment filed 26 January 2006, the 5th line of the paragraph beginning "In construction, the boat lift 12 . . . ", change "12" to --13--;

(3) on page 5 of the After Final Amendment filed 26 January 2006, the 1st line of the paragraph beginning "Now referring to FIG. 2, . . . ", change "16 includes " to --16, including--;

(4) on page 5 of the After Final Amendment filed 26 January 2006, the 2nd line of the paragraph beginning "Now referring to FIG. 2, . . . ", after "FIG. 12)", insert a comma punctuation mark (i.e., --,--);

(5) on page 7 of the After Final Amendment filed 26 January 2006, the 5th line down from the top of the page, after "piston", insert --arm--;

(6) on page 7 of the After Final Amendment filed 26 January 2006, the last line of the paragraph beginning "In an alternate embodiment of the CHU 15, . . . ", after "36," insert --37, and 38--; and

(7) on page 9 of the After Final Amendment filed 26 January 2006, the 3rd line of the paragraph beginning "The alternate embodiment of the boat lift, . . . ", after "piston", insert --arm--;

(8) on page 10 of the After Final Amendment filed 26 January 2006, the 3rd line of the paragraph beginning "When installing any boat lift 12 of the present invention, . . . ", after "switches", insert --including a first member 94--;

(9) on page 11 of the After Final Amendment filed 26 January 2006, the 4th line of the paragraph beginning "When installing any boat lift 12 of the present invention, . . . ", after "and", reinsert --a second member 95 attached to--; and

(10) on page 13 of the original specification, the fourth line from the bottom of the page, change "rod" to --piston arm--.

**IN THE CLAIMS:**

The following changes to the claims have been approved by the examiner and agreed upon by applicant:

Claim 1, lines 5-6, delete "said lifting means connected to said cradle for moving said cradle substantially vertically,".

Claim 9, line 4, after "adjacent", insert --the--.

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Claim 22. (Currently Amended) The boat lift as defined in Claim 17 further including a third pulley mounted to said cable handling unit supported by the dock spaced away from said ~~second~~ first plurality of pulleys, a bracket attached to said piston arm adjacent said at least one pulley of said first plurality of pulleys for affixing said ~~opposite~~ first ends of both of said pair of cables to said bracket, a ~~plurality of~~ fourth pulleys pulley mounted to said cable handling unit, ~~one~~ a first cable of said ~~cable pair of~~ cables being threaded around ~~respective~~ said a second pulley and ~~said a~~ first pulley of said first plurality of pulleys, ~~respective~~ another a second cable of said ~~cable pair of~~ cables being threaded around said third pulley and ~~respective~~ also being threaded around said second pulley and said first pulley of said first plurality of pulleys, said first and second cables also being threaded around said fourth pulley such that the vertical distance of movement of said cradle is three times the distance of movement of said piston arm when moving said cradle vertically.

Claim 23. (Currently Amended) The assembly as defined in Claim 22 further including ~~a pair of~~ first and second guide members mounted between said cradle and ~~each~~ first and second pilings of said ~~piling~~ pair of pilings, respectively, for inhibiting lateral movement of said cradle when said cradle is being moved vertically.

Claim 24. (Currently Amended) The assembly as defined in Claim 23 wherein each of said first and second guide ~~member~~ members is rigidly mounted to said cradle and slidably engaged with ~~a~~ respective said piling first and second pilings of said pair of pilings, respectively.

Claim 25. (Currently Amended) The assembly as defined in Claim 24 wherein each of said first and second guide member ~~includes~~ members include rollers mounted against said ~~respective said piling~~ first and second pilings of said pair of pilings, respectively.

Claim 26. (Currently Amended) The assembly of Claim 23 wherein each of said ~~one end~~ first ends of said first and second cables of said pair of cables is secured to ~~respective~~ said ~~pair of~~ first and second guide members, respectively, for raising and lowering said cradle.

Claim 27. (Currently Amended) The assembly of Claim 26 wherein said cradle further includes a ~~pair of~~ first and second bunk rails each having ~~one~~ a first end secured to ~~respective~~ said ~~pair of~~ first and second guide members, respectively, and each having ~~one free~~ a second end disposed substantially perpendicularly to said ~~respective~~ first and second guide members, respectively, said cradle further including a ~~pair of~~ first and second elongate bunks secured onto and extending transversely across said ~~pair of~~ first and second bunk rails, respectively, for maintaining a ~~water vessel~~ boat therebetween.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gay Ann Spahn whose telephone number is (571)-272-7731. The examiner can normally be reached on Monday through Thursday, 8:30 am to 7:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patricia L. Engle can be reached on (571)-272-6660. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gay Ann Spahn, Patent Examiner  
March 16, 2006



**PATRICIA L. ENGLE**  
**PRIMARY EXAMINER**

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